

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

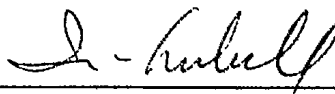
In the Matter of the Accusation	)	
Against:	)	No. D-5708
	)	
YOUNG HOO KIM, M.D.	)	OAH No. N-9405135
Physician and Surgeon's	)	
Certificate No. A-35428	)	
	)	
	)	
Respondent.	)	
_____	)	

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Medical Board of California as its Decision in the above-entitled matter.

This Decision shall become effective on March 17, 1995.

IT IS SO ORDERED February 16, 1995.

  
\_\_\_\_\_

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation	)	
Against:	)	No. D-5708
	)	
YOUNG HOO KIM, M.D.	)	OAH No. N-9405135
Physician and Surgeon's	)	
Certificate No. A-35428	)	
	)	
	)	
Respondent.	)	

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PROPOSED DECISION

On November 14, 1994, in Sacramento, California, Muriel Evens, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Gail Heppell, Deputy Attorney General, represented the complainant.

Respondent was not present or otherwise represented.

Evidence was received, the record was closed and the matter was submitted.

FINDINGS OF FACT

I

Respondent Young Hoo Kim was mailed at his last address of record a Notice of Hearing for the date, time and place of this hearing. Respondent wrote to the Board, indicating his inability to return from his residence in Korea for the hearing. As respondent failed to appear, the hearing proceeded as a default matter.

## II

On June 24, 1980, the Medical Board of California issued Physician and Surgeon's certificate number A-35428 to respondent Young Hoo Kim. At all relevant times that certificate was valid.

## III

On June 17, 1992, following an informal settlement conference, respondent entered into an agreed order with the Texas State Board of Medical Examiners to permanently and irrevocably surrender his Texas medical license.


### DETERMINATION OF ISSUES

Cause for discipline of respondent's license for violation of Business and Professions Code sections 2234 and 2305 was established by Finding III.

### ORDER

Respondent's physician and surgeon's certificate is revoked.

Dated: December 6, 1994

  
\_\_\_\_\_  
MURIEL EVENS  
Administrative Law Judge  
Office of Administrative Hearings

1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 JANA L. TUTON  
Supervising Deputy Attorney General  
3 ROBERT C. MILLER  
Deputy Attorney General  
4 P.O. Box 944255  
Sacramento, California 94244-2550  
5 Telephone: (916) 324-5161  
6 Attorneys for Complainant  
7

8 BEFORE THE DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 In the Matter of the	)	No. D-5708
Accusation Against:	)	
12	)	<u>ACCUSATION</u>
13 YOUNG HOO KIM, M.D.	)	
5569 N. Country Rd., No. 29	)	
14 Loveland, CO 80538	)	
15 Physician's & Surgeon's	)	
Certificate No. A-35428	)	
16 Respondent.	)	

17  
18 Dixon Arnett, for causes for discipline, alleges:  
19 1. Complainant Dixon Arnett makes and files this  
20 accusation solely in his official capacity as Executive Director  
21 of the Medical Board of California (hereinafter referred to as  
22 the "Board") and not otherwise.  
23 2. On June 24, 1980, the Medical Board of California  
24 issued Physician's and Surgeon's Certificate Number A-35428 to  
25 Young Hoo Kim, M.D. The certificate will expire on May 31, 1994.  
26 3. Under Business and Professions Code section 2234,  
27 the Division of Medical Quality shall take action against any  
28 licensee who is charged with unprofessional conduct.

1           4. Under Business and Professions Code section 2305,  
2 the revocation, suspension, or other discipline by another state  
3 of a license or certificate to practice medicine issued by the  
4 state shall constitute unprofessional conduct against such  
5 licensee in this state.

6           5. Respondent has subjected his physician's and  
7 surgeon's certificate to discipline under Business and  
8 Professions Code sections 2234 and 2305 in that on or about  
9 June 17, 1992, respondent "permanently and irrevocably"  
10 surrendered his medical license to the Texas State Board of  
11 Medical Examiners at an informal settlement conference. (See  
12 attached Exhibit "A.")

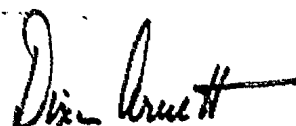
13           WHEREFORE, complainant prays that a hearing be held and  
14 that the Medical Board of California make its order:

15           1. Revoking or suspending Physician's and Surgeon's  
16 Certificate Number A-35428, issued to Young Hoo Kim, M.D.;

17           2. Prohibiting Young Hoo Kim, M.D. from supervising  
18 physician assistants; and

19           3. Taking such other and further action as may be  
20 deemed proper and appropriate.

21 DATED: March 15, 1994

22  
23   
24 DIXON ARNETT, Executive Director  
25 Medical Board of California  
26 Department of Consumer Affairs  
27 State of California  
28

# **EXHIBIT A**

H-7442

IN THE MATTER OF	) (	BEFORE THE
	) (	
THE LICENSE OF	) (	TEXAS STATE BOARD
	) (	
YOUNG-HOO KIM, M.D.	) (	OF MEDICAL EXAMINERS

AGREED ORDER

On this the 17th day of June, 1992, came on to be heard before the Texas State Board of Medical Examiners ("the Board"), duly in session the matter of the license of Young-Hoo Kim, M.D. ("the Respondent"). On May 1, 1992, Respondent appeared in person without legal representation at an Informal Settlement Conference in response to the Board's letter of invitation dated March 25, 1992.

The Texas State Board of Medical Examiners was represented at the Informal Settlement Conference on May 1, 1992, by Luis M. Rios, M.D., a member of the Board and Janet McGlasson, a member of the District Review Committee. Upon recommendation of said representatives and with consent of Respondent, as evidenced by his signature hereto, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Young-Hoo Kim, M.D. holds Texas medical license H-7442.
2. The Board has jurisdiction over the subject matter and the Respondent. The Respondent received all notice which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied.
3. Respondent has moved to Korea from Texas and does not wish to practice medicine in this State in the future.
4. Respondent voluntarily, permanently and irrevocably surrenders Texas medical license number H-7442.

5. Section 3.05(e) of the Medical Practice Act states, in pertinent part, "[the] Board in its discretion may accept the voluntary surrender of a license."

IT IS THEREFORE ORDERED:

1. Respondent's voluntary surrender of Texas medical license H-7442 is accepted by the Board.
2. Respondent's Texas medical license H-7442 is permanently and irrevocably cancelled as of the date of the signing of this Agreed Order by the presiding officer of the Board.

THIS ORDER IS A PUBLIC RECORD.

I, YOUNG-HOO KIM, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED BOARD ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED BOARD ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: May 14, 1992.

  
\_\_\_\_\_  
Young-Hoo Kim, M.D.  
Respondent



STATE OF ~~TEXAS~~ COLORADO  
COUNTY OF SERRA

((  
))  
))  
))

STATE OF TEXAS  
COUNTY OF SERRA

BEFORE ME, this 14<sup>th</sup> day of March, 1992, personally  
appeared Young-Hoo Kim, M.D. known to me, who, first, being duly  
sworn, signed the foregoing Agreed Board Order in my presence.

Sharon D. Blechman  
Notary Public, in and for  
the State of Colorado  
DICE: 10-24-94

Notary Seal

SIGNED AND ENTERED this 17th day of June, 1992.

Milam B. Pharo, M.D.  
President, Texas State Board of  
Medical Examiners

KCD.AO 8.47/3